

REMARKS

As a preliminary matter, Applicants thank the Examiner for conducting an interview with Applicants' representative on June 30, 2005, during which proposed amendments to claim 1 were discussed regarding the structural language of the claim.

Claims 1-12 and 14-18 are pending in the application. Claim 13 has been cancelled.

By the present Amendment, Applicants amend claims 1 and 6-9. Claims 6-9 are rewritten to depend from claim 1.

The Examiner has rejected claims 1-11 and 15-18 under 35 U.S.C. § 102(e) as being anticipated by previously-cited Frankland et al. (U.S. Patent Publication No. 2002/0026339). Although claim 12 was listed as being rejected by Frankland, no description of such a rejection was included in the Office Action. Thus, the only rejection of claim 12 appears to be the following.

The Examiner has rejected claims 9-12 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Frankland et al. in view of previously-cited Fasca (U.S. Patent Publication No. 2002/0065581).

Applicants submit that Frankland fails to teach or suggest all of the limitations of claim 1. In particular, Frankland does not disclose a server configured to calculate release amounts to each release-transfer destination of the chemical substances as a control target that compose the materials input in a certain process based on the types and input amounts of the materials input in

the certain process, the material composition database, the controlled substance database and the release rate database. Instead, Frankland discloses that environmental release data is stored in a database as input data. See *paragraphs [0340]-[0359]*. The calculation of release amounts as described by claim 1 is not disclosed by Frankland.

Also, Frankland does not disclose that the information related to the release rates for each equipment that is used in the certain process is stored in the release rate database, as described by claim 1.

Additionally, Frankland fails to teach or suggest the feature of claim 1 of the server being configured to calculate, for each equipment, environmental performance information that evaluates environmental effects due to discharging the release amounts calculated of the chemical substances as the control target and/or investment effectiveness information related to the costs for reducing the chemical substances as the control target that are released. There is no disclosure in Frankland of calculating, for each equipment used in the certain process, the environmental performance information and the investment effectiveness information.

For the foregoing reasons, Applicants submit that claim 1 and its dependent claims 2-11 and 15-18 are not anticipated by Frankland.

Applicants submit that Frankland and Fasca do not disclose all of the limitations of claim 12. Specifically, the cited prior art fails to teach or suggest the process which, based on the evaluation results of evaluating environmental

effects due to discharging the chemical substances in set release amounts, evaluates the equipments that reduce the chemical substances which are released. The Examiner admits that Frankland does not disclose this feature of the claim, but asserts that Fasca does disclose it. Applicants respectfully disagree about the disclosure of Fasca. The Examiner refers to paragraph [0044] as allegedly disclosing the above-mentioned feature of claim 12, but paragraph [0044] does not make such a disclosure. Paragraph [0044] discusses options for reducing emissions of pollutants, e.g., reducing the overall output power of a power plant, using gas scrubbers, using low sulfur coal or oil, and installing Selective Catalytic Reduction (SCR) equipment. However, it does not disclose evaluating the equipments that reduce the chemical substances released, based on the evaluation results of evaluating environmental effects due to discharging the chemical substances in set release amounts. Evaluating the equipments as described by claim 12 is simply not disclosed in paragraph [0044] of Fasca. Therefore, claim 12 and its dependent claim 14 are allowable over the cited prior art.

Claims 9-11 are allowable over Frankland and Fasca for the reasons described above in relation to claim 1.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Serial No. 10/053,697
Amendment Dated: September 23, 2005
Reply to Office Action: December 21, 2005
Attorney Docket: 056204.50780US

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 056204.50780US).

Respectfully submitted,

December 23, 2005

A handwritten signature in black ink, appearing to read 'Jeffrey D. Sanok', written over a horizontal line.

Jeffrey D. Sanok
Registration No. 32,169
Cameron W. Beddard
Registration No. 46,545

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JDS:CWB:crr
2688594_1